Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

CONFIDENTIAL

PAGE 01 STATE 139968
ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 IO-13 DHA-02 CIAE-00 INR-07
NSAE-00 DODE-00 ACDA-07 /045 R

DRAFTED BY EUR/CE:GACHESTER:DHT
APPROVED BY EUR/CE:LHEICHLER
L/EUR:JWILLIS
EUR/SOV:DHERSPRING
----------162005Z 097937 /73
P R 161913Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY BONN PRIORITY
USMISSION USBERLIN PRIORITY
INFO AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
USMISSION NATO
AMEMBASSY BERLIN

C O N F I D E N T I A L STATE 139968

E.O. 11652:GDS

TAGS: PFOG, PFOR, WB, UK, UR, US, FR

SUBJECT: APPEAL FROM AMNESTY INTERNATIONAL

REF: PARA 5, STATE 76209

1. BEGIN UNCLASSIFIED: DEPT HAS RECEIVED FOLLOWING LETTER ADDRESSED TO THE SECRETARY FROM SECRETARY GENERAL MARTIN ENNALS OF AMNESTY INTERNATIONAL IN LONDON: BEGIN TEXT:

AT ITS MEETING IN APRIL 1977 THE INTERNATIONAL EXECUTIVE COMMITTEE OF AMNESTY INTERNATIONAL CONSIDERED THE CASE OF
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 139968

RUDOLF HESS, THE PRISONER IN SPANDAU PRISON, BERLIN. IT DID SO WITH A VIEW TO ASCERTAINING IF AND TO WHAT EXTENT THE CONDITIONS OF IMPRISONMENT OF MR. HESS AMOUNT TO "CRUEL, INHUMAN OR DEGRADING TREATMENT" AS PROHIBITED BY ARTICLE 5 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, IN THE LIGHT OF PERSISTENT REPORTS TO THAT EFFECT.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

AMNESTY INTERNATIONAL CONCLUDES THAT MR. HESS' CONDITIONS OF IMPRISONMENT DO INDEED FALL BELOW INTERNATIONALLY ACCEPTED MINIMUM STANDARDS OF TREATMENT OF PRISONERS, GIVEN THE FACT THAT, AS THE ONLY PRISONER IN SPANDAU PRISON, HE HAS NOW BEEN IN EFFECTIVE SOLITARY CONFINEMENT FOR MORE THAN 10 YEARS. IT IS THE EXPERIENCE OF AMNESTY INTERNATIONAL THAT PROLONGED SOLITARY CONFINEMENT CAN HAVE DAMAGING EFFECTS ON A PRISONER'S PHYSICAL AND MENTAL HEALTH. A PERIOD OF 10 YEARS WOULD APPEAR TO EXCEED EVEN THE CONCEPT OF PROLONGED SOLITARY CONFINEMENT, PARTICULARY SINCE IT IS REPORTEDLY AGGRAVATED BY CERTAIN RESTRICTIONS ON SOCIAL CONTACTS (CORRESPONDENCE AND VISITS) AND INSTANCES OF INADEQUATE MEDICAL CARE. THERE CAN BE LITTLE DOUBT, THEREFORE, THAT EVEN TAKING INTO ACCOUNT THE PRISONER'S ADVANCED AGE, THESE CONDITIONS OF IMPRISONMENT HAVE AT LEAST IN PART CONTRIBUTED TO A REPORTED SERIOUS DETERIORATION OF HIS PHYSICAL AND MENTAL HEALTH.

GIVEN THESE CIRCUMSTANCES AMNESTY INTERNATIONAL CANNOT BUT REGARD THE CONDITION OF IMPRISONMENT OF MR. HESS AS CONSTITUTING CRUEL, INHUMAN AND DEGRADING TREATMENT AND AS THUS BEING IN VIOLATION OF ARTICLE 5 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND ARTICLE 7 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.
I THEREFORE APPEAL TO THE FOUR GOVERNMENTS OF THE ALLIED DIRECTORATE TO TAKE WHATEVER STEPS ARE NECESSARY AND APPROPRIATE TO END THE SOLITARY CONFINEMENT OF MR. HESS AND TO ENSURE THAT HE RECEIVES ADEQUATE HEALTH CARE. IN MAKING THIS APPEAL I WISH TO STRESS THAT AMNESTY
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 139968

INTERNATIONAL'S CONCERN IS BASED SOLELY ON HUMANITARIAN GROUNDS, WITHOUT REGARD TO THE NATURE OF THE CRIMES OF WHICH THE PRISONER WAS CONVICTED. END TEXT. END UNCLASSIFIED.

2. BEGIN CONFIDENTIAL: FROM CONTEXT OF THE LETTER, IT APPEARS SIMILAR LETTERS HAVE BEEN ADDRESSED TO THE OTHER ALLIED GOVERNMENTS AS WELL AS TO THE SOVIETS. ALTHOUGH WE ASSUME EACH ALLIED GOVERNMENT WOULD WISH TO SEND ITS OWN REPLY, WE BELIEVE IT WOULD BE USEFUL TO AGREE ON THE ELEMENTS OF AN APPROPRIATE RESPONSE. OUR PREFERENCE WOULD BE FOR A LETTER WHICH WOULD POINT OUT CONTINUING ALLIED EFFORTS TO PERSUADE THE SOVIETS TO RELEASE HESS ON HUMANITARIAN GROUNDS AND TO IMPROVE THE CONDITIONS OF HIS IMPRISONMENT, WHILE BEING CAREFUL NOT TO ACCEPT THE PROPOSITION THAT THE CONDITIONS OF HIS IMPRISONMENT, TO WHICH THE ALLIES ORIGINALLY AGREED, FALL BELOW INTERNATIONALLY ACCEPTED MINIMUM STANDARDS FOR TREATMENT OF PRISONERS. WE BELIEVE THE ALLEGATIONS

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

OF INADEQUATE MEDICAL CARE SHOULD BE TACTFULLY BUT FIRMLY
REBUTTED.

3. FOR EMBASSY BONN: WE WOULD APPRECIATE IT IF EMBASSY
WOULD SUGGEST THE TEXT OF AN APPROPRIATE RESPONSE,
INCORPORATING THE ELEMENTS AGREED WITH THE BRITISH AND
FRENCH. OUR DEADLINE TO REPLY IS JUNE 20.

4. FOR USBERLIN: MISSION MAY WISH TO COMMENT TO EMBASSY
ON QUESTIONS RAISED IN AMNESTY INTERNATIONAL'S LETTER.
WE BELIEVE USEFUL BACKGROUND INFORMATION WOULD BE
OUTLINE OF PRESENT REGULATIONS GOVERNING THE CONDITIONS
OF HESS' IMPROVEMENT AND DESCRIPTION OF MANNER IN WHICH
THOSE CONDITIONS WERE IMPROVED IN 1970, AS WELL AS ANY
RECENT IMPROVEMENTS WHICH MAY HAVE BEEN ACHIEVED. COMMENTS
ON MANNER IN WHICH HESS' SITUATION AND PRISON ROUTINE
DIFFER FROM TRADITIONAL SOLITARY CONFINEMENT WOULD
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 139968

PRESUMABLY ALSO BE HELPFUL. CHRISTOPHER

CONFIDENTIAL

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AMNESTY, PRISONERS RELEASE, POLITICAL PRISONERS, PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Sent Date: 16-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE139968
Document Source: CORE
Document Unique ID: 00
Drafter: GACHESTER:DHT
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770215-0682
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770649/aaaabqrg.tel
Line Count: 140
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 7ebc7c7b-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 PARAMARIBO 5, 77 STATE 76209
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2122058
Secure: OPEN
Status: NATIVE
Subject: APPEAL FROM AMNESTY INTERNATIONAL
TAGS: PFOR, WB, UK, UR, US, FR, (HESS, RUDOLF)
To: BONN USBERLIN
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/7ebc7c7b-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009